

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE 2015 APR 27 PM 12:55
DIVISION

Tonia Y. Adams)
)
)
)
)
Name of Plaintiff)
)
v.)
Yates Services)
)
Nissan)
)
Name of Defendant(s))

U.S. DISTRICT COURT
MIDDLE DISTRICT OF TN

Case No. _____
(To be assigned by Clerk)

Jury Demand Yes No

COMPLAINT UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964

1. This action is brought pursuant to Title VII of the Civil Rights Act of 1964, and the Civil Rights Act of 1991, for employment discrimination. Jurisdiction is specifically conferred upon the Court by 42 U.S.C. § 2000e-5, or, if the Plaintiff is a federal employee, by 42 U.S.C. § 2000e-16. Relief is sought under 42 U.S.C. § 2000e-5(g) and/or 42 U.S.C. § 1981a(b).
2. Plaintiff, Tonia Y. Adams, is a citizen of the United States and resides at

4758-a Trenton Dr., Hermitage,
Street address City

Davidson, TN, 37074, 615-602-4604.
County State Zip Code Telephone Number
615-999-0257

3. Defendant, Yates Nissan resides at, or its business is located at
- 983 Nissan Dr., Smyrna,
Street address City

Rutherford, TN, 37167.
County State Zip Code

(If more than one Defendant, list the name and address of each additional Defendant)

na

4. Plaintiff sought employment from the Defendant or was employed by the Defendant at

983 Nissan Dr., Smyrna,
Street address City
Rutherford, TN, 37167.
County State Zip Code

5. Defendant discriminated against Plaintiff in the manner indicated in paragraphs 8 and 9 of this Complaint on or about May 5 2013.
Month Day Year

6. Plaintiff filed charges against the Defendant with the Tennessee Human Rights Commission or the Equal Employment Opportunity Commission charging the Defendant with the acts of discrimination indicated in paragraphs 8 and 9 of this Complaint on or about
May 2013.
Month Day Year

7. The Equal Employment Opportunity Commission or the United States Department of Justice issued a Notice of Right to Sue which was received by Plaintiff on April 23 2015.
Month Day Year

8. Because of Plaintiff's (1) Afro-American race, (2) black color, (3) female sex,
(4) na religion, (5) na national origin, the Defendant:

- a. na failed to employ Plaintiff.
- b. / terminated Plaintiff's employment.
- c. / failed to promote Plaintiff.
- d. na retaliated against Plaintiff for having filed a charge of discrimination.
- e. / other. Explain: I was injured at work and once I was put on disability, I was harassed even further once a doctor placed me on restrictions. I was told that I could not refuse to do certain jobs because of being placed on restrictions. One of which led to an accident that they then reprimanded me for.

9. The circumstances under which Defendant discriminated against Plaintiff were as follows:

on-site
Repeatedly taken to medical though panelled-out am unable to be treated on-site. Written up for attendance violations even though I still had vacation time. Threatened w/termination for refusing to sign falsified papers for an audit. Supervisor attempted to write-up leaving early when ordered to by Medical and when I had an approved day off. I complained when had to do jobs at work that broke my restrictions but (You may use additional paper, if necessary.) Yates reported that I said broke restrictions when at home.

10. The acts set forth in paragraph 8 of this Complaint:

- a. _____ are still being committed by Defendant.
- b. _____ are no longer being committed by Defendant.
- c. / may still be being committed by Defendant.

11. Plaintiff attaches to this Complaint a copy of the charges filed with the Tennessee Human Rights Commission or the Equal Employment Opportunity Commission, which charges are submitted as a brief statement of the facts supporting this Complaint.

WHEREFORE, Plaintiff prays that the Court grant the following relief:

- a. no direct that Defendant employ Plaintiff, or
- b. / direct that Defendant re-employ Plaintiff, or
- c. no direct that Defendant promote Plaintiff, or
- d. / order other equitable or injunctive relief: _____

- e. / direct that Defendant pay Plaintiff back pay in the amount of
_____ and interest on back pay;
- f. / direct that Defendant pay Plaintiff compensatory damages: Specify
the amount and basis for compensatory damages: Injuries are on-going
and finding employment that has become difficult.
- g. / direct that Defendant pay Plaintiff punitive damages in the amount of
pay that I would've because Defendant engaged in a discriminatory practice or
earned practices with malice or with reckless indifference to Plaintiff's federally protected rights,
as described in paragraphs 8 and 9 above; and that the Court grant such other relief as may
be appropriate, including costs and attorney's fees.


(Signature of Plaintiff)